



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ- IVಎ Part- IVA	ಬೆಂಗಳೂರು, ಮಂಗಳವಾರ, ೨೧, ಏಪ್ರಿಲ್, ೨೦೨೦ (ವೈಶಾಖ ೦೧, ಶಕವರ್ಷ ೧೯೪೨) Bengaluru, TUESDAY, 21, APRIL, 2020 (Vaishakha 01, ShakaVarsha 1942)	ನಂ. ೧೪೩ No. 143
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GOVERNMENT OF KARNATAKA

No. UDD 04 TTP 2013

Karnataka Government Secretariat
Vikasa Soudha,
Bengaluru, Dated 21.04.2020

NOTIFICATION

Whereas the draft further to amend the Zonal Regulations in force in the local planning areas, approved by the Government, which the Government of Karnataka, proposes to make in exercise of the powers conferred by section 13-E of the Karnataka Town and Country Planning Act, 1961(Karnataka Act 11 of 1963), was published in Notification No.UDD 04 TTP 2013, Bengaluru, dated 23-09-2019 in Part-IVA of the Karnataka Gazette extraordinary No.801 dated 24-09-2019 inviting objections and suggestions from all persons likely to be affected thereby within thirty days from the date of its publication in the official Gazette.

And whereas the said Gazette was made available to the public on 24th Sept. 2019 and whereas no objection or suggestions have been received by the State Government.

Now therefore, in exercise of the powers conferred by Section 13E of the Karnataka Town and Country Planning Act, 1961(Karnataka Act 11 of 1963), the Government of Karnataka hereby makes the following regulations, namely:-

Regulations

1. Title, commencement and application.- (1) These regulations may be called the Zonal Regulations (Amendment) 2020.

(2) They shall come into force from the date of their final publication in the official Gazette.

(3) These regulations shall apply to all heritage sites, buildings, precincts and natural features declared under Section 2(1ea) and 2(1eb) of the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963).

2. Amendment of Zonal Regulations or master plans approved by the State Government of any Local Planning Area.- Notwithstanding anything contained in the approved zonal regulations or master plans of any local planning area in force in the State, the following procedure shall be followed with regard to Heritage Building and Heritage precinct, namely:-

“1. Establishment and composition of the Heritage conservation committee.-

(1) For every district, except Bengaluru District, there shall be a Heritage Conservation Committee (hereinafter referred to as the committee), consisting of the following Members appointed by the State Government.

TABLE (for all other Development Authorities or Planning Authorities)		
1.	The Deputy Commissioner	Chairman
2.	The Commissioner, Archaeology, Museums and Heritage Department, Mysore or his nominee.	Ex-Officio Member
3.	The Joint Director or Deputy Director or Assistant Director of Town and Country Planning of the respective City Corporation.	Ex-Officio Member
4.	Town planning Member of the respective urban development authority	Ex-Officio Member
5.	Representative from the Department of Tourism.	Ex-Officio Member
6.	The Assistant Director of Department of Archaeology, Museums and Heritage of state.	Ex-Officio Member
7.	The Commissioner of the respective Corporation.	Ex-Officio Member
8.	The Commissioner of the respective City Municipal Council.	Ex-Officio Member
9.	The Chief officer of the respective Town Municipal Council.	Ex-Officio Member
10.	The Chief officer of the respective Town Panchayat.	Ex-Officio Member
11.	A Structural Engineer having experience of at least ten years in the field and membership of the Institute of Engineers (India)	Member
12.	Representative of Archaeological survey of India, Government of India.	Member
13.	The Project Director, DUDC Cell.	Ex-Officio Member
14.	An Architect having at least ten years of experience in architecture and five years in heritage conservation architecture and membership of the Council of Architecture.	Member
15.	An Environmentalist with post graduate degree from a recognized university and having in depth knowledge and having experience of ten years in the subject.	Member

16.	An Academician possessing a doctorate in history or archaeology and having knowledge of the region for at least ten years.	Member
17.	A Natural historian possessing post-graduation in botany or zoology or forestry, preferably with doctorate degree, having ten years experience in the field.	Member
18.	An Artist possessing degree in fine arts having at least ten years of experience in the field.	Member
19.	Representatives of two NGO's in existence for more than three years.	Member
20.	Representative of Indian Heritage Cities Network (IHCN), Saraswathipuram, Mysuru.	Member
21.	The Commissioner or Member Secretary of the respective urban development authority or planning authority.	Ex-Officio Member-Convener

Provided that in respect of Bengaluru, since Bangalore Development Authority is the Planning Authority, the Art commission constituted under section 51 of the Bangalore Development Authority Act, 1976 (Karnataka Act 12 of 1976) shall be the Heritage conservation committee for the purpose of these regulations.

(2) The Committee shall have the power to appoint two additional members who may have lesser experience, but who have special knowledge of the subject matter.

(3) The tenure of the non official members shall be three years:

Provided that, the same person shall be eligible for reappointment for further period of three years.

(4) No meeting shall be conducted unless one-third of the members are present from the beginning to the end of such meeting. Any vacancy in the office of members shall not vitiate any decision taken by the majority of the members present.

2. Powers and functions of the committee.- The Committee shall exercise the following powers and following functions, namely:-

(1) to advise the Local Authority whether development permission shall be granted under these regulations and the conditions under which permission may be accorded;

(2) to prepare a list of buildings, artefacts, structures, areas, precincts of historic, aesthetic, architectural, cultural or environmental significance and a supplementary list of natural features of environmental significance or scenic beauty including sacred groves, hills, hillocks, water bodies (and the areas adjoining the same), open areas, wooded areas etc., to which these regulations shall apply from time to time, and grade them according to the heritage value;

(3) to advise whether any relaxation, modification, alteration or variance of any of the zonal regulations or building bye-laws, is called for;

(4) to assist the Archaeology, Museums and Heritage Department (AM&HD) in framing regulations for specific precincts and if necessary for natural features to guide the planning or local or competent authority, regarding issue of permissions.

(5) to advise on the extent of Development Rights Certificates to be granted.

(6) to advise whether Development Right Certificates may be allowed to be consumed in a heritage precinct.

(7) to advise in terms of these regulations to allow commercial or office or hotel use of a heritage building and when to terminate the same.

(8) to advise the planning or local or competent authority in the operation of advertisements or bill boards or street furniture.

(9) to make recommendations to the local or competent authority regarding guidelines to be adopted by those private parties or public or Government agencies that sponsor beautification schemes near heritage building and precincts at public intersections and elsewhere.

(10) to provide technical advice, if possible, on the guidelines to the owners of heritage buildings or precincts to protect, conserve or restore them.

(11) to recommend or advice the Archaeology, Museum and Heritage Department in preparing special designs and guidelines or publications for the listed buildings, control of height and essential facade characteristics, such as maintenance of special types of balconies and other heritage items of the buildings and to suggest suitable designs and appropriate material for replacements, keeping the old form intact to the extent possible.

(12) to recommend or advice the Archaeology, Museum and Heritage Department in preparing guidelines relating to design elements and conservation principles to be adhered to and to prepare other guidelines for the purpose of these regulations.

(13) to advise the local authority on any other issues as may be required, from time to time, during the course of scrutiny of development permissions and in overall interest of heritage or environmental conservation.

(14) to appear before the Government either independently or through or on behalf of the local authority in cases of listed buildings or precincts and listed natural features.

3. Procedure for the preparation of list of the heritage sites, buildings, precincts and natural features.- (1) The list of the heritage sites, buildings, precincts and additions thereto shall be declared by the planning authority on the advice of the committee and notified accordingly:

Provided that, before the list is so notified, objections and suggestions from all persons likely to be affected shall be invited by newspaper notification of which at least two newspapers published in local language, granting at least fifteen days of time.

(2) Restrictions on the heritage precincts shall be in force with effect from the date of such newspaper notification:

Provided that, such listing does not prevent change of ownership or usage.

(3) The list may be supplemented from time to time by the Government, on receipt of proposal from the concerned agency or suo motto:

Provided that, before the list is so notified, objections and suggestions from all persons likely to be affected shall be invited by newspaper notification of which at least two newspapers published in local language, granting at least fifteen days of time.

4. Criteria for listing.- Before the list so notified under clause 3, the following criteria shall be observed, namely:-

(a)	Value for architectural, historical or cultural reasons.	A
	Architectural	A(arc)
	Historical	A(his)
	Cultural	A(cul)
(b)	The date or period or design or unique use of the building or artefact.	B
	Building or artefact	
	Period	B (per)
	Design	B (des)
	Use	B (use)
(c)	Relevance to social or economic history.	C (seh)
(d)	Association with well-known persons or event.	D (bio)
(e)	A building or group of buildings or areas of distinct architectural design or style, historic period or way of life having sociological interest or community value.	E
	Style	
	Historical	
(f)	The unique value of building or architectural feature or artefact or being part of a chain of architectural development that would be broken if it were lost.	F
(g)	Its value as a part of a group of buildings.	G (gr)
(h)	Representing forms of technological development.	H(tec)
(i)	Vistas of natural or scenic beauty or interest, including water-front areas, distinctive or planned lines of sight, street lines of sight, street line, skyline or topographical.	I (se)
(j)	Open spaces sometimes integrally planned with their associated areas having a distinctive way of life which have the potential to be areas of recreation.	J
(k)	Natural heritage sites.	NH
(l)	Sites of scenic beauty.	(sec)

5. Grading.- Heritage sites, buildings, precincts and natural features shall be graded as I, II, III, as detailed below.-

	GRADE – I	GRADE – II	GRADE – III
(a) Definition	(i) Shall comprises of the buildings and precincts of national or historical importance, embodying excellence in architectural style, design, technology and material, usage or aesthetics, which may be associated with a great historic event, personality, movement or institution; (ii) shall have been and are the prime landmark of the region; and (iii)All natural sites.	(i)Shall comprise of the buildings and precincts of regional or local importance possessing special architectural or aesthetic merit or cultural or historical significance of a lower scale than in Grade-1; (ii)They shall have been and are the local land marks that contribute to the image and identity of the region; and (iii)They may be the work of master craftsmen or may be models of proportion and ornamentation, or designed to suit a particular climate.	(i)Shall comprise of the buildings and precincts of important townscapes; (ii)They evoke architectural, aesthetic or sociological interest of a lower scale than in Grade – II; and (iii) They contribute to determine the character of the locality and are the representatives of lifestyle of a particular community or region and, be distinguished by setting on a street line or special character of the facade and uniformity of height, width and scale.
(b)Objective	Deserves careful preservation.	Deserves intelligent Conservation.	Deserves protection of unique features and attributes.
(c) Scope for changes	Interventions shall be permitted to enter on the exterior or interior unless it is necessary in the interest of strengthening and prolonging the life of the buildings or precincts or any part or features thereof. For this purpose, only absolutely essential and minimal changes shall be allowed and they must be in accordance with the original.	(i)Internal changes and adaptive reuse shall generally be allowed but external changes shall be subject to scrutiny. Care shall be taken to ensure the conservation of all the special aspects for which it is enlisted under these regulations. (ii)Extension or additional buildings in the same plot or compound may be allowed in certain circumstances: Provided that, the extension or additional building is in harmony with and does not detract from the existing heritage buildings or precincts, especially in terms of height and facade.	(i)External and internal changes and adaptive reuse shall generally be allowed. Changes may include extensions and additional buildings in the same plot or compound: Provided that the extension or additional building is in harmony with and does not detract from the existing heritage building or precinct especially in terms of height or facade; and (ii)Reconstruction shall be allowed when the building is structurally weak or unsafe or affected by accidental fire or any other calamity or if reconstruction is required to consume

			the permissible FSI and no option other than reconstruction is available: Provided that, unless absolutely essential, nothing shall be allowed to spoil or destroy the special features or attributes for which it is enlisted under these regulations.
(d)Procedure	(i) Development permission for the changes shall be given by the Planning Authority on the advice of the heritage conservation committee. (ii)All developments in the areas surrounding the enlisted building or precinct, shall be regulated and controlled, ensuring that it does not mar the grandeur of or view from the enlisted building or precinct.	(i) Development permission for the changes shall be given by the Planning Authority in consultation with a sub-committee formed under the heritage conservation committee (ii)All developments in the areas surrounding the enlisted building or precinct, shall be regulated and controlled, ensuring that it does not mar the grandeur of or view from the enlisted building or precinct.	(i) Development permission shall be given for changes by the Planning Authority in accordance with the guidelines, which shall be laid down by Government in Consultation with Heritage Conservation Committee. (ii)All developments in the areas surrounding the enlisted building or precinct, shall be regulated and controlled, ensuring that it does not mar the grandeur of or view from the enlisted building or precinct.

6. Restriction on development, re-development, repairs, etc.-(1) No development or re-development or engineering operations or additions or alterations or repairs or renovation, including the painting of buildings, replacement of special features or plastering or demolition of any or part thereof of the enlisted buildings, precincts and natural features, including the compound wall, shall be allowed, except with the prior written permission of the local planning authority, in accordance with these regulations:

Provided that, before granting any such permission for alteration of boundaries of any enlisted buildings, precincts or natural features, objections and suggestions from the public shall be invited, by publishing prominently, in two local newspapers and duly considered by the Committee:

Provided further that, only in exceptional cases, for reasons to be recorded in writing, the planning authority may refer the matter back to the heritage conservation committee for reconsideration.

(2) Heritage buildings and precincts which are under the control of department of Public Works or Corporation or Universities or Boards and any other Government organizations, under the purview of Government of Karnataka and Government of India, shall be enlisted and declared as heritage properties:

Provided that, the decision of the heritage conservation committee, after such re-consideration shall be final.

(3) To preserve the heritage value of the zone, the committee shall have the power to direct, especially in areas designated, that the exterior design and height of buildings shall have prior approval.

(4) The local authority before permitting signs, outdoor display structures including street furniture in the enlisted building or precinct, shall strictly follow the specifications, codes, conditions given below.-

(A) The display or averting signs and outdoor display structures on building and land shall be permitted in accordance with Part X - Signs and Outdoor Display Structures of National Building Code of India.

(B) In addition to condition specified under item (A), the following provisions shall apply to advertisement signs in different land use zones.-

(i) in case of residential Zone, the following non-flashing neon signs with illumination not exceeding 40-watt light.

(a) One nameplate with an area not exceeding 0.1 square metres for each dwelling unit.

(b) For other uses permissible in the zone, one identification sign or bulletin board with an area not exceeding 10 square metres, provided that, such area shall not exceed 1.5 metres height.

(c) 'For sale' or 'for rent' signs for real estate, not exceeding 2 square metres in area, provided they are located on the premises offered for sale or rent.

(ii) in case of residential Zones with shop lines, non-flashing business sign placed parallel to the wall and not exceeding 1 metre in height per establishment.

(iii) notwithstanding the provisions under item (A) and (B), no advertisement sign or outdoor display structures shall be permitted on buildings of architectural, aesthetic, historical or heritage importance as may be decided by the local authority on the advice and approval of the committee, including on Government buildings:

Provided that, in the case of Government buildings only advertising signs or outdoor display structures shall be permitted, if they are related to the activities, purposes or programmes of the said building, which shall be approved by the committee.

Provided further that, if the committee so advises, the local authority shall refuse permission for any sign or outdoors display structure.

Provided also that, the Committee may prescribe additional guidelines for the same.

7. Responsibility of the owners.- It shall be the duty of the owners of enlisted buildings and precincts to carryout regular repairs and maintenance, at their own cost. The Government or the local authority shall not be responsible for such repairs and maintenance, except for the buildings owned by the Government or local authority.

8. Regulations for specified heritage precincts or natural features.- (1) In case of heritage precincts and natural features, where it is deemed necessary by the committee, development permission in the form of commencement certificate shall be granted in accordance with separate guidelines prescribed for the respective precincts or natural features, which shall be framed by the Archaeology, Museums and Heritage Department (AM&HD) in consultation with the local authority, on the advice of the committee.

(2) These guidelines shall concern architectural appearances, materials, the setting of buildings, their volumes, height, planting of trees and include regulations, which will govern planning, building permissions, choices of restoration methods or spatial planning.

(3) Separate guidelines shall be prepared after commissioning a study of the enlisted precincts or natural features by the Archeology, Museum and Heritage Department. The study shall identify the heritage issues in all its aspects, fix the objectives to be reached in order to assure the conservation of the heritage identified and to draft guidelines for management and development of the same. The local authority shall consider the draft guidelines submitted by Archaeology, Museum and Heritage Department and obtain public opinion by publishing in the official Gazette and in leading newspapers for the purpose of inviting suggestions and objections from the public. The local authority, Archaeology, Museum and Heritage Department and the Committee shall consider all the suggestions and objections received within a period of sixty days from the date of publication in the official Gazette.

(4) After consideration of the suggestions and objections, the Archaeology, Museum and Heritage Department in consultation with local authority, acting on the advice of the committee, shall modify, if necessary, the draft guidelines and forward the same to the local authority for further submission to the Government for sanction;

Provided that, pending the consideration of suggestions and objections and pending final sanction from Government to the draft guidelines, the committee shall have due

regard to the draft guidelines, while considering applications for development, re-development, etc., of the heritage buildings or precincts or natural features.

9. Road widening and building lines.- (1) If road widening or building line, under the Karnataka Town and Country Planning Act, 1961, are prescribed, they shall be in accordance with these regulations, so as to protect the features of the enlisted buildings or precincts.

(2) If any new road widening or building lines are proposed in the Master Plan, the local authority shall consider the heritage provisions and environmental aspects while considering applications for development permissions in these precincts. Necessary steps shall be taken to modify the Master Plan accordingly and pending this action, the development of new roads shall not be carried out.

(3) No widening of the existing roads under the Karnataka Town and Country Planning Act, 1961 or Master Plan shall be carried out in a manner which may affect the existing heritage buildings (even if they are not included in a heritage precinct) or which may affect the enlisted natural features.

10. Master plan reservations.- If there are Master Plan reservations shown on heritage buildings or precincts or enlisted natural features, the reservation may be deleted or modified if required. The local authority, on the advice of the committee, shall move the Government to get these reservations deleted or modified accordingly.

11. Grant of Transferable Development Rights (TDR) in cases of loss of development rights.- The extent of Development Rights to be granted and used shall be determined by the rules specially framed for transfer of development rights.

12. Incentive uses for heritage buildings.- In cases of buildings, included in the list, falling in zones where office or commercial or hotel use is normally prohibited, if the owner or lessee agrees to maintain the listed heritage building in its existing state and to preserve its heritage status with due repairs and give a written undertaking to that effect, he may be permitted, with the approval of the committee, to convert part or the whole thereof of the non-commercial area, within such heritage building to commercial or office or hotel;

Provided that, if the heritage building is not maintained suitably or if the heritage value of the building is allowed to be diminished in any manner, the local authority suo motto or on the advice of the committee, shall revoke permission given for such use.

13. Maintaining skyline and architectural harmony.- Buildings within heritage precincts or in the vicinity of heritage building or listed natural features, shall maintain the skyline and follow the architectural style (without any high rise or multi-storied

development), as may be existing in the surrounding area, so as not to diminish or destroy the value and beauty of, or the view from, the said heritage building or precinct or natural feature. The development within the precinct or in the vicinity of heritage building or natural features shall be in accordance to the guidelines framed by Archaeology, Museum and Heritage Department in association with the local authority on the advice of the committee.

14. Repair fund.-With a view to give monetary help for repairs of the enlisted property, a separate fund shall be created through Government grants or local authorities or public contributions, which shall be available to the local authority, who shall disburse the funds on the advice of the committee:

Provided that, nothing mentioned above shall be deemed to confer any right on the owner or occupier of the plot to demolish or re-construct or make alterations or additions to his enlisted building or building in a enlisted precinct, if in the opinion of the committee, such demolition or re-construction or addition is undesirable.

15. Voluntary contribution and agreement with any voluntary organization, person or company.- (1) The local authority may receive voluntary contributions towards the cost of maintaining any enlisted building or precinct, and shall manage such contributions for the purpose of preservation and conservation.

(2) Subject to the prior approval of the Government, local authority may enter into any agreement with any person or voluntary organization or company, whether incorporated or not, willing to preserve and conserve any enlisted building or precinct, owned by Government on such terms and conditions as the Government may determine.”

By Order and in the name of the
Governor of Karnataka

(C.S.Shivakumaraswamy)
Under Secretary to Government
Urban Development Department.